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| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 10991-002001 | Application No. 09/379,460 |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b)) | | Applicant Edward P. Ingenito | |
| | | Filing Date August 23, 1999 | Group Art Unit 3763 |

| U.S. Patent Documents | | | | | | | |
|-----------------------|-----------|---------------|------------|---------------------------|-------|----------|----------------------------|
| Examiner Initial | Desig. ID | Patent Number | Issue Date | Patentee | Class | Subclass | Filing Date If Appropriate |
| (gn). | AA | US 5,814,022 | 09/29/98 | Anatanavich <i>et al.</i> | | | |
| | AB | US 5,773,418 | 06/30/98 | Edwardson <i>et al.</i> | | | |
| | AC | US 5,739,288 | 04/14/98 | Edwardson <i>et al.</i> | | | |
| | AD | US 5,733,545 | 03/31/98 | Hood, III | | | |
| | AE | US 5,437,292 | 08/01/95 | Kipshidze <i>et al.</i> | | | |
| | AF | US 5,782,748 | 07/21/98 | Palmer <i>et al.</i> | | | |
| | AG | US 5,728,751 | 03/17/98 | Patnaik | | | |
| (gn). | AH | US 5,423,312 | 06/13/95 | Siegmund <i>et al.</i> | | | |
| | AI | | | | | | |
| | AJ | | | | | | |
| | AK | | | | | | |

| Foreign Patent Documents or Published Foreign Patent Applications | | | | | | | |
|---|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|
| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |
| | | | | | | | Yes No |
| (gn). | AL | WO 97/46632 | 12/11/97 | WIPO | | | |
| | AM | WO 97/01989 | 01/23/97 | WIPO | | | |
| | AN | WO 97/42986 | 11/20/97 | WIPO | | | |
| | AO | WO 97/33633 | 09/18/97 | WIPO | | | ✓ |
| (gn). | AP | | | | | | |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
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| Examiner Initial | Desig. ID | Document |
| (gn). | AQ | Baumann <i>et al.</i> , Ann. Thorac. Surg. 64(1):230-233, 1997. |
| | AR | Foucher <i>et al.</i> , Eur. Respir J., 9(10):2181-2182, 1996. |
| | AS | Hamamoto <i>et al.</i> , Kekkaku (JAPAN), 64(11):713-719, 1989 |
| | AT | Hirao <i>et al.</i> , Nippon Kyobu Geka Gakkai Zasshi (JAPAN) 42(11):2144-2149, 1994. |
| | AU | Ikushima <i>et al.</i> , J. Jpn Assoc. Thorac. Surg. 36(11):2521-2524, 1988. |
| (gn). | AV | Kawamata <i>et al.</i> , Kyobu Geka (JAPAN), 51(2):165-167, 1998. |

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| Examiner Signature <i>Catherine S. Willim</i> | Date Considered 7/19/04 |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 10991-002001 | Application No. 09/379,460 |
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| | | Filing Date August 23, 1999 | Group Art Unit 3763 |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
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| Examiner Initial | Desig. ID | Document |
| (b)(1) | AW | Klepetko et al., Chirurg (GERMANY), <u>67</u> (12):1215-1221, 1996. |
| | AX | Koyama et al., ACTA Haematol. Jpn. <u>51</u> (4):808-815, 1988. |
| | AY | Matthew et al., Ann. Thorac. Surg. <u>50</u> (1):40-43, 1990. |
| | AZ | Nakamura et al., Kyobu Geka (JAPAN), <u>50</u> (7):589-593, 1997. |
| | AAA | Nonaka et al., Kyobu Geka (JAPAN) <u>45</u> (11):975-978, 1992. |
| | ABB | Regel et al., surg. Endosc. (GERMANY, WEST) <u>4</u> (1):31-35, 1990. |
| | ACC | Samuels et al., Chest <u>109</u> (6):1653-1655, 1996. |
| | ADD | Scheyer et al., Surg. Endosc. (GERMANY), <u>10</u> (5):501-503, 1996. |
| | AEE | Sprung et al., Anaesthesia (ENGLAND) <u>52</u> (12):1207-1211, 1997. |
| | AFF | Sznajder et al., J. Appl. Physiol. <u>67</u> (2):817-823, 1989. |
| | AGG | Takenouchi et al., Kyobu Geka (JAPAN) <u>50</u> (3):243-246, 1997. |
| (b)(1) | AHH | Vaca et al., Am. J. Crit. Care, <u>5</u> (6):412-419, 1996. |
| | AII | |
| | AJJ | |

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| Examiner Signature | Date Considered |
| <i>Catherine S. Williams</i> | 7/19/04 |
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| | | Filing Date August 23, 1999 | Group Art Unit 3763 |

| U.S. Patent Documents | | | | | | | |
|-----------------------|-----------|---------------|------------|--------------------------|-------|----------|----------------------------|
| Examiner Initial | Desig. ID | Patent Number | Issue Date | Patentee | Class | Subclass | Filing Date If Appropriate |
| (ent) | AA | 4,886,496 | 12/12/89 | Conoscenti <i>et al.</i> | | | |
| (con) | AB | 5,728,132 | 03/17/98 | Van Tassel <i>et al.</i> | | | |

| Foreign Patent Documents or Published Foreign Patent Applications | | | | | | | |
|---|-----------|-----------------|------------------|--------------------------|-------|----------|----------------------------|
| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation Yes No |
| (con) | AC | EP 0 303 756 | 02/22/89 | Europe | | | |
| | AD | WO 95/13748 | 05/26/95 | WIPO | | | |
| | AE | WO 99/25782 | 05/27/99 | WIPO | | | |
| (con) | AF | WO 01/02042 | 01/11/01 | WIPO | | | |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
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| Examiner Initial | Desig. ID | Document |
| | AG | International Search Report |
| | AH | |
| | AI | |
| | AJ | |

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|---|--|--|--|------------------|------------|
| SUBSTITUTE FORM PTO-1449 (MODIFIED) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO. | SERIAL NO. |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b)) | | APPLICANT Edward P. Ingenito | | | |
| | | FILING DATE | | GROUP | |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | PATENT NUMBER | | | | | | ISSUE DATE | PATENTEE | | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|----|---------------|---|---|---|---|---|------------|----------|-------------------|-------|----------|----------------------------|
| (ew). | AA | 5 | 4 | 3 | 7 | 2 | 9 | 2 | 08/01/95 | Kipshidze et al. | / | / | |
| | AB | 5 | 5 | 8 | 3 | 1 | 1 | 4 | 12/10/96 | Barrows et al. | / | / | |
| | AC | 5 | 7 | 3 | 9 | 2 | 8 | 8 | 04/14/98 | Edwardson et al. | / | / | |
| | AD | 5 | 7 | 7 | 3 | 4 | 1 | 8 | 06/30/98 | Edwardson et al. | / | / | |
| | AE | 5 | 7 | 3 | 3 | 5 | 4 | 5 | 03/31/98 | Hood, III | / | / | |
| (ew). | AF | 5 | 8 | 1 | 6 | 0 | 2 | 2 | 09/29/98 | Antanavich et al. | / | / | |
| | AG | | | | | | | | | | | | |

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

| | | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION |
|-------|----|-----------------|------------------|--------------------------|-------|----------|-------------|
| | | | | | YES | NO | |
| (ew). | AH | WO97/33633 | 09/18/97 | PCT | / | / | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

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| (ew). | AI | Cooper et al., J. Thorac. Cardiovasc. Surg. 109:106-116, 1995 |
| | AJ | Cooper et al., J. Thorac. Cardiovasc. Surg. 112:1319-1329, 1996 |
| | AK | Gibson et al., Am. Rev. Resp. Dis. 120:799-811, 1979 |
| | AL | Hoppin, Am. J. Resp. Crit. Care Med. 155:520-525, 1997 |
| | AM | Katloff et al., Chest 110:1399-1406, 1996 |
| (ew). | AN | Swanson et al., J. Am. Coll. Surg. 185:25-32, 1997 |

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| EXAMINER | Catherine S. Williams | DATE CONSIDERED |
| EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | |

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| Substitute Form PTO-1449 (Modified) | | U.S. Department of Commerce Patent and Trademark Office | | Attorney's Docket No. 10991-002002 | Application No. 09/658,338 |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b)) | | Applicant Edward P. Ingentio | | | |
| | | Filing Date September 8, 2000 | Group Art Unit | | |

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| Examiner Initial | Desig. ID | Patent Number | Issue Date | Patentee | Class | Subclass | Filing Date If Appropriate |
| (Bn.) | AA | 5,814,022 | 09/29/98 | Antanavich <i>et al.</i> | | | |
| | AB | 5,583,114 | 12/10/96 | Barrows <i>et al.</i> | | | |
| | AC | 5,773,418 | 06/30/98 | Edwardson <i>et al.</i> | | | |
| | AD | 5,739,288 | 4/14/98 | Edwardson <i>et al.</i> | | | |
| | AE | 5,733,545 | 03/31/98 | Hood. III | | | |
| | AF | 5,437,292 | 08/01/95 | Kipshisdze <i>et al.</i> | | | |
| | AG | 5,836,905 | 11/17/98 | Lemelson <i>et al.</i> | | | |
| | AH | 6,117,425 | 09/12/00 | MacPhee <i>et al.</i> | | | |
| (Dn.) | AI | 5,980,866 | 11/09/99 | Uchida <i>et al.</i> | | | |

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|---|-----------|-----------------|------------------|--------------------------|-------|----------|--|
| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |
| | | | | | | | Yes No |
| (Dn.) | AJ | WO97/33633 | 09/18/97 | PCT | | | (U.S. Pat No. 5,980,866 copy enclosed) |

| Other Documents (include Author, Title, Date, and Place of Publication) | | |
|---|-----------|---|
| Examiner Initial | Desig. ID | Document |
| (Bn.) | AK | Cooper <i>et al.</i> , <i>J. Thoracic & Cardiovascular Surgery</i> 112:1319-1330, 1996. |
| | AL | Cooper <i>et al.</i> , <i>J. Thorac. Cardiovasc. Surg.</i> 109:106-116, 1995. |
| | AM | Cooper <i>et al.</i> , <i>J. Thorac. Cardiocasc. Surg.</i> 112:1319-1329, 1996. |
| | AN | Gibson <i>et al.</i> , <i>Am. Rev. Resp. Dis.</i> 120:799-811, 1979. |
| | AO | Hoppin, <i>Am. J. Resp. Crit. Care Med.</i> 155:520-525, 1997. |
| | AP | Kotloff <i>et al.</i> , <i>Chest</i> 110:1399-1406, 1996. |
| (Dn.) | AQ | Swanson <i>et al.</i> , <i>J. Am. Coll. Surg.</i> 185:25-32, 1997. |

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| Examiner Signature <i>Catherine S. Williams</i> | Date Considered <i>7/19/04</i> |
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| | | Filing Date August 23, 1999 | Group Art Unit 3763 | |

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| Examiner Initial | Desig. ID | Patent Number | Issue Date | Patentee | Class | Subclass | Filing Date If Appropriate |
| | AA | | | | | | |
| | AB | | | | | | |

| Foreign Patent Documents or Published Foreign Patent Applications | | | | | | | |
|--|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|
| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |
| (SN) | AC | DE 4423178 | 01/04/96 | Germany | | | Yes ✓ |

| Other Documents (include Author, Title, Date, and Place of Publication) | | | | | | | |
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| Examiner Initial | Desig. ID | Document | | | | | |
| (SN) | AD | Hauck et al., <i>World J. Surg.</i> <u>15</u> (1):146-149, 1991. | | | | | |
| | AE | Inoue et al., <i>Lung</i> , <u>172</u> (5):293-298, 1994. | | | | | |
| | AF | Rock et al., <i>Am. J. Respir. Crit. Care Med.</i> <u>151</u> (4):1047-1052, 1995. | | | | | |
| | AG | Spotnitz et al., <i>Am. Surg.</i> <u>55</u> (3):166-168, 1989. | | | | | |
| | AH | Stammberger et al., <i>Eur. J. Cardiothorac. Surg.</i> (NETHERLANDS), <u>11</u> (6):1005-1010, 1997. | | | | | |
| | AI | Straub et al., <i>Z. Erkr Atmungsorgane</i> (GERMANY, EAST) <u>167</u> (1-2):185-189, 1986. | | | | | |
| | AJ | Waclawiczek et al., <i>Surg. Endosc.</i> (GERMANY, WEST) <u>1</u> (2):99-102, 1987. | | | | | |
| (SN) | AK | Zimmer et al., <i>J. Hepatol.</i> <u>28</u> (2):292-297, 1998. | | | | | |

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| Examiner Signature <i>Catherine S. William</i> | Date Considered 7/19/04 |
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